

by the supervisor, or the Chief of Police/his designee to determine whether the work climate changes or whether there are further incidents. If the victim reports that the situation has not been rectified or if the alleged harasser declines to agree to informal adjustment, the victim will be encouraged to file a formal complaint and/or other formal proceedings and disciplinary action may be sought.

- C. The Chief of Police shall be notified immediately when an informal proceedings has been instituted or a complaint has been filed. The Chief of Police shall maintain records reflecting the substance of the informal remedy agreement or complaint.

#### 1.4.8 FORMAL PROCEEDINGS

- A. The victim institutes a formal procedure by filing a written complaint utilizing the appropriate department approved form(s) including the sexual harassment-employee complaint form.
- B. An investigation will be conducted by the Chief of Police/his designee which shall include attempting to obtain a statement from the alleged harasser. Witnesses, if any, will also be interviewed and other formal proceedings and disciplinary action may be sought by the department. The Chief of Police will attempt to resolve the matter within 30 business days of receipt of the complaint.
- C. In a situation where the victim and the alleged harasser will remain working in the same general area or environment during or after the completion of the investigation, it may be necessary or appropriate for the Chief of Police to clearly define the terms of the continued professional interaction.
- D. If upon completion of an investigation the alleged harassment is substantiated, formal disciplinary action will be taken. The complaining employee and the harasser will be informed of the outcome of the investigation and the extent of discipline to be imposed. If the alleged harassment cannot be substantiated or clearly determined to be sexual harassment, other action or remedies may be sought to ensure that the workplace remains free of inappropriate behavior.

#### 1.4.9 CONFIDENTIALITY

The Department will maintain confidentiality concerning the victim, allegations concerning the complaint and the alleged harasser to the extent practical without handicapping the department's ability to perform an investigation.

#### 1.4.10 RETALIATION

All employees are informed that retaliation against any employee who complains about sexual harassment or retaliation against any employee who cooperates with an investigation of sexual harassment or retaliation against anyone accused of committing sexual harassment is unlawful and will not be tolerated by the department. Any employee who is found to have committed retaliation or has engaged or encouraged others to retaliate against another employee shall be disciplined. Examples of retaliation include but are not limited to negative or sexual based rumors, graffiti, jokes, cartoons, harassing and annoying phone calls, threatening gestures, denying supervision, and property damage.



#### 1.4.11 OTHER LEGAL REMEDIES

Following the procedures outlined above does not preclude a complainant from seeking legal remedies outside this process. Complainants are cautioned that following these procedures does not affect the statute of limitations for filing discrimination complaints with the Massachusetts Commission Against Discrimination (6 months) or the Equal Employment Opportunity Commission (180 days).

#### 1.4.12 FILING COMPLAINTS

Any employee wishing to file a complaint may do so by contacting their supervisor following the procedures listed in sections 1.4.6, 1.4.7, and 1.4.8 or by contacting the Chief of Police/ his designee.

The Chief of Police/his designee is also available to discuss any concerns you may have and to provide information to you about department policy on sexual harassment and the complaint process.

In addition to the above, if you believe you have been subjected to sexual harassment, you may file a formal complaint with either or both of the government agencies set forth below. Using our complaint process does not prohibit you from filing a complaint with these agencies. Each of the agencies has a short time period for filing a claim (EEOC-180 days; MCAD-6 months).

1. **THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (EEOC)**  
JOHN F. KENNEDY FEDERAL BUILDING OFFICE BUILDING  
ROOM #475 HIGH RISE GOVERNMENT CENTER  
BOSTON, MA. 02203  
(617) 565-3200

2. **THE MASSACHUSETTS COMMISSION AGAINST DISCRIMINATION (MCAD)**  
BOSTON OFFICE:  
ONE ASHBURTON PLACE, ROOM 601  
BOSTON, MA. 02108  
(617) 727-3990

SPRINGFIELD OFFICE:  
436 DWIGHT STREET, ROOM 220  
SPRINGFIELD, MA. 01103  
(413) 739-2145